

**REMARKS**

Claims 2 through 4, 7 and 9 were presented for examination in the present application. The instant amendment adds new claim 16. Claims 7 and 9 have been allowed. Claims 8, 10, and 11 which depend from allowed claim 7 will be rejoined at issuance. Thus, claims 2 through 4 and 16 are pending upon entry of the instant amendment.

Claim 3 was rejected under 35 U.S.C. 112, second paragraph.

Claim 3 has been amended to properly refer back to the "linear cutting path" element. Accordingly, reconsideration and withdrawal of the rejection of claim 3 are respectfully requested.

Claims 2 and 3 were rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,816,126 ("Pluber") in view of U.S. Patent No. 3,451,297 ("Reis").

Independent claim 2 now recites "a cutting die for the headrail adapted to receive the headrail extending therethrough, and being movable relative to said holding plate only in a first direction for cutting one end of the headrail.

The Office Action acknowledges that Pluber does not disclose a "cutting die being slidably movable relative to the holding plate". See page 3, lines 14-18. Therefore, the combination of Pluber and Reis cannot teach or disclose a single cutting die that moves only in a first direction.

Reis discloses "a shearing device [that] has a double shearing mechanism with a pair of dies embracing a work piece. Shearing of the work piece material is caused by cutting movement of a primary die for a distance less than the thickness of the material followed by movement of an adjacent secondary die twice as far in the same shearing direction". See col. 1, lines 13-17.

Reis also discloses "as an alternative to a dual form of movable shear dies, it is also proposed that one die form remain stationary as a second die is moved along back and forth to stimulate dual movement (emphasis added)". See col. 1, lines 55-58.

An objective of Reis is to prevent "the formation of an edge burr on the sheared material". See col. 1, lines 19-20. This can only be accomplished by shearing the material using either two dies or by using a single die that must move in two directions (i.e., forward and backward). Therefore, Applicant submits that one of ordinary skill in the art would not be motivated to modify the cutting system of Reis to provide for shearing the material using only one cutting die that is movable only in a first direction as now recited by claim 2.

As such, Reis clearly does not disclose or suggest a mechanism in which shearing of the material is completed utilizing only one cutter that moves in only one direction. Further, Applicant respectfully submits that there is nothing to teach or suggest the use of only a single cutter moving in only one direction as required by claim 2. In fact, Reis

actually teaches away from shearing the material using only a single cutter moving in a single direction because this would not prevent the formation of an edge burr on the material.

Therefore, Applicant respectfully submits that the combination of Pluber and Reis does not disclose or suggest the elements of claim 2. As such, claim 2 is believed to be in condition for allowance.

Claim 3 depends from independent claim 2 and is believed to be in condition for allowance for at least the reasons given above for claim 2. Reconsideration and withdrawal of the rejections to claims 2 and 3 are respectfully requested.

Claim 4 was rejected under 35 USC 103(a) as being unpatentable over Pluber in view of Reis and further in view of U.S. Patent No. 6,167,789 ("Daniels"). Claim 4 depends from independent claim 2 and is believed to be in condition for allowance for at least the reasons given above for claim 2.

In addition, claim 4 recites "a rotary shaft mounted in said holding plate, and a cam mounted on said rotary shaft for moving said cutting die a sufficient distance to sever the head rail, wherein said cam is disposed in an opening formed in said cutting die".

The Office Action acknowledges that Pluber and Reis fail to disclose a rotary shaft mounted in the holding plate and a cam mounted on the rotary shaft for moving the cutting die to sever the head rail.

Applicant respectfully submits that Daniels clearly does not disclose a cam that is disposed in an opening in the cutting die. Rather, cam 232 is located on output shaft 212 which is attached to load side plate 218 and exit side plate 220. See col. 8, lines 53-61 and Figure 6.

Therefore, the combination of Pluber, Reis, and Daniels cannot teach or disclose a rotary shaft mounted in the holding plate, and a cam mounted on the rotary shaft for moving the cutting die a sufficient distance to sever the head rail, wherein the cam is received in an opening formed in the cutting die.

Claim 16 has been added to point out various aspects of the present application. It is submitted that new claim 16 is directed to the elected embodiment. Support for new claim 16 can be found in the specification at least at page 5, lines 8-19 and Figure 2.

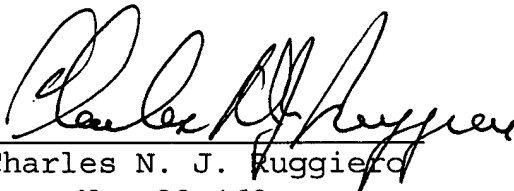
It is believed that new Claim 16 is in condition for allowance. For example, claim 16 depends from independent claim 2 and is believed to be in condition for allowance for at least the reasons given above for claim 2.

In view of the above, it is respectfully submitted that the present application is in condition for allowance. Such action is solicited.

If for any reason the Examiner feels that consultation with Applicant's attorney would be helpful in the advancement of the prosecution, the Examiner is invited to call the telephone number below.

Respectfully submitted,

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